

NEW YORK, NEW YORK
POST

EVENING - 606,842
WEEKEND - 352,297

NOV 6 1973

Book on CIA: Court Tests Censorship

By MARVIN SHULON

The publisher of a forthcoming book about the CIA would like to know what should be in all those blank spaces in the manuscript they have received from the authors.

Lawyers representing Alfred A. Knopf, Inc., asked in federal court yesterday that they be allowed to see the extensive portions which the secret organization censored from the book tentatively entitled "The CIA and the Cult of Intelligence."

About 10 per cent of the book, co-authored by Victor L. Marchetti, a former executive assistant to the CIA's Deputy Director, and John D. Marks, an ex-State Dept. official, has been blanked out of the text handed to Knopf six weeks ago.

The publishing house and the authors filed suit last week seeking to enjoin the government from censoring the book and to generally bar their interference in its publication. Named as defendants were CIA Director William Colby and Secretary of State Henry Kissinger.

The suit, described by Knopf lawyers as "another Pentagon Papers case," also aims to reverse an injunction against publication of material the government maintains is classified.

A federal court in Virginia ruled earlier this year that Marchetti had to submit everything he wrote about his former employer to the CIA for review under the secrecy agreement he signed when he joined the agency in 1955.

Floyd Abrams, one of the lawyers who represented The New York Times in the Pentagon case, argued on behalf of Knopf yesterday before federal Judge Lawrence Pierce that the Virginia court order as applied to the publisher is unconstitutional.

"If the Virginia injunction bars us from reviewing the material, it is unconstitutional," Abrams maintained. He called it "prior restraint" of publication in violation of the First Amendment.

Asst. U. S. Attorney Mel P. Barkan moved to have the case transferred to the Virginia court which issued the original order requiring a CIA review of the book.

Judge Pierce, after hearing arguments into the evening yesterday, reserved decision on both sides' motions.

The censored version was handed to Knopf in late September with 39 CIA-ordered deletions from the original 517-page manuscript. The removed portions amounted to between 15 and 20 per cent of the book.

The manuscript contained whole pages and portions of pages which were blank. But after further negotiations between the CIA and the authors, the number of deletions was reduced to 225 portions which still amounted to about 10 per cent of the book.